PREET BHARARA
United States Attorney for the
Southern District of New York
By: REBECCA S. TINIO
Assistant United States Attorney
86 Chambers Street
New York, New York 10007
T: (212) 637-2774
F: (212) 637-2702

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
on behalf of its agency, the United
States Small Business Administration,

Plaintiff,

v.

12 Civ. 0937 (LAP)

Defendant.

Defendant.

NOTICE OF PLANITIFF'S MOTION FOR ENTRY OF AN ORDER APPROVING THE RECEIVER'S RECOMMENDED DISPOSITION OF CLAIMS AND AUTHORIZING PAYMENT OF APPROVED CLAIMS AND EXPENSES AND ESTABLISHING SUMMARY DISPOSITION PROCEDURES

COMES NOW the United States of America, on behalf of its agency, the United States Small Business Administration ("SBA"), which is the court-appointed Receiver (the "Receiver") for L Capital Partners SBIC, L.P. ("L Capital") by Order of this Court entered April 19, 2012 (Dkt. No. 14), and hereby moves this Court for entry of an Order approving the Receiver's Recommended Disposition of Claims, Authorizing Payment of Approved Claims, and Establishing Summary Disposition Procedures. In accordance with the Court's Individual Rule of Practice 2(A), the Court waived the requirement for a pre-motion hearing regarding this

motion on February 20, 2013 (Dkt. No. 29).

By Order entered November 20, 2012 (Dkt. No. 20), the Court approved the Receiver's recommended procedures for establishing the creditor pool of the L Capital receivership estate. The Receiver has completed the claims review process and is now moving this Court for entry of an Order approving the Receiver's recommended disposition of claims received in response to the claims bar date procedures approved by the Court, authorizing payment of approved claims and establishing summary disposition procedures for objections, if any, to the Receiver's recommendation. A Memorandum in Support of this Motion, the Receiver's Recommended Disposition of Claims, and a proposed Order are being filed simultaneously herewith.

WHEREFORE, for the reasons more fully described in the Memorandum of Law in support of this Motion filed simultaneously herewith, the Receiver respectfully requests that the Court grant this Motion and enter the proposed Order submitted herewith.

Dated: New York, New York August 21, 2013

Respectfully submitted,

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Defendant the United States

of America

By: /s/ Rebecca S. Tinio

REBECCA S. TINIO

Assistant United States Attorney 86 Chambers Street, 3rd Floor New York, New York 10007 Telephone: (212) 637-2774 Facsimile: (212) 637-2702

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of August, 2013, I caused the foregoing Motion for an Order Approving the Receiver's Recommended Disposition of Claims, Authorizing Payment of Approved Claims and Establishing Summary Disposition Proceedings, Memorandum in Support thereof, Receiver's Recommended Disposition of Claims, and proposed Order with exhibit to be sent to the following via first class mail, postage prepaid, and/or via this Court's electronic notification system:

David A. Winter, Esq. Hogan Lovells US LLP Columbia Square 555 Thirteenth Street, NW Washington, DC 20004 david.winter@hoganlovells.com

Arlene M. Embrey, Trial Attorney U.S. Small Business Administration 409 3rd Street, SW Washington, D.C. 20416 <u>Arlene.embrey@sba.gov</u>

DMLT, LLC 1731 Kings Avenue South, Brandon, FL 33511

McGladrey, LLP 1185 Avenue of the America, New York, NY 10

National Registered Agents, Inc. PO Box 12432 Newark, NJ 07101

Pepper Hamilton, LLP 4000 Town Center, Suite 1800 Southfield, MN 48075. DLA Piper, LLP 2000 University Avenue East Palo Alto, CA 94303

Reed Smith, LP 1510 Page Mill Road Suite 110 Palo Alto, CA 94304

Jonathan Leitersdorf and L Capital Management, LP 10 East 53rd, 37th Floor New York, NY 10022.

Westminster Capital Advisors, LLC 45 Rockefeller Plaza, Suite 2000 New York, NY 10111

U.S. Small Business Administration 409 3rd Street, SW Suite 6300 Washington, DC 20416.

Sightline Healthcare 50 South 6th Street, Suite 1490 Minneapolis, MN 55402

Thunderball Marketing 10 Cragwood Road Avenel, NJ 07001

Menora Mivatachim Insurance 115 Allenby Street, Tel Aviv, Israel

Menora Mivatachim Pensions 7 Jabotinsky Street Ramat Gan, Israel

Shriebman Family Partners 519 Mable Mason Cove PO Box 177 La Vergne, TN 37086

Dated: New York, New York August 21, 2013

> /s/ Rebecca S. Tinio REBECCA S. TINIO